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VIA ECF

April 23, 2025

Hon. Laura Taylor Swain, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

MEMO ENDORSED

**Re: Automated Mgmt. Sys., Inc. v. Rappaport Hertz Cherson
Rosenthal, P.C., et al.
Case No. 1:16-cv-04762-LTS-JW**

Dear Judge Swain:

This Firm represents Defendants Rappaport Hertz Cherson Rosenthal, P.C. (“RHCR”), William Rappaport, Steven M. Hertz, Eliot J. Cherson, and Michael C. Rosenthal (collectively, the “Law Firm Defendants”) in the above-captioned matter. Please accept this letter motion as the Law Firm Defendants’ application, with the consent of Plaintiff Automated Management Systems, Inc. (“AMSI”), pursuant to Rule 5 of Your Honor’s Individual Practices for the approval of the filing of redacted materials in support of their motion for attorneys’ fees [ECF No. 476-78].

This request arises from a series of filings concerning AMSI’s use of allegedly comparative video materials generated by an offshore artificial intelligence tool. On October 11, 2024, AMSI filed a motion *in limine* to admit those videos at trial [ECF No. 421]. On December 17, 2024, the Law Firm Defendants filed a motion for termination sanctions, citing, among other grounds, violations of the Court’s Protective Order [ECF No. 439]. By Order dated January 7, 2025, the Court granted that motion in part and awarded the Law Firm Defendants their attorneys’ fees and costs associated with bringing it [ECF No. 453]. On April 21, 2025, the Law Firm Defendants submitted their motion for the determination of those fees and costs [ECF Nos. 476–78].

In support of that motion, the Law Firm Defendants filed as Exhibit A to the Declaration of Kevin O’Connor [ECF No. 478-1] a redacted set of invoices issued by Peckar & Abramson, P.C. (“P&A”) reflecting all time entries billed to the Law Firm Defendants for payment from December 1, 2024 through March 30, 2025. Redactions were made to Exhibit A to exclude P&A’s tax identification number, time entries unrelated to the motion for termination sanctions and the associated order to show cause, and total amounts billed to the Law Firm Defendants and paid by the Law Firm Defendants over the course of the applicable billing periods.

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The Law Firm Defendants do not seek to recover fees or costs for the redacted entries. Moreover, those entries are protected by the attorney-client privilege and/or work product doctrine and would, if disclosed, reveal sensitive insights into trial strategy and litigation planning. The Law Firm Defendants are separately transmitting to Your Honor, and Your Honor only, the unredacted invoices with the redactions highlighted as **Exhibit A**, pursuant to Your Honor's Individual Practices.

The Law Firm Defendants met and conferred with Jacques Catafago, Counsel for AMSI, on April 22, 2025, who has consented to this redaction request.

Accordingly, the Law Firm Defendants respectfully request that the Court approve the limited redactions in Exhibit A of the Kevin O'Connor Declaration [ECF No. 478-1] to protect privileged and irrelevant information while preserving the public's access to the substance of the fee application.

We appreciate the Court's consideration of this request.

Respectfully submitted,

/s/ Kevin J. O'Connor

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Enclosure.

The foregoing request for redacted public filing is granted. The unredacted version of Exhibit A, filed at DE 482, will be kept under seal. This resolves docket entry no. 481.
SO ORDERED.

/s/ Laura Taylor Swain, Chief U.S.D.J.
Dated: April 29, 2025